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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,483	08/27/2003	Jo De Buyst	979-030	6154

7590 06/10/2004
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EXAMINER	
GUSHI, ROSS N	
ART UNIT	PAPER NUMBER
2833	

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/650,483	Applicant(s) BUYST ET AL.	
	Examiner Ross N. Gushi	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input checked="" type="checkbox"/> Other: <u>attachment</u> . |

DETAILED ACTION

Claim Objections

Claims 1-10 are objected to under 37 C.F.R. Rule 1.75(d)(1). The terms and the phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. In particular, the term "tubular screw contacts" lacks clear support or antecedent basis in the description so that the meaning of the term may be ascertainable by reference to the description. Correction is required.

Claim 7 is objected to because it does not specifically identify by number the claims from which it depends. The final numbering and arrangement of the claims may be changed upon allowance, therefore the claims from which claim 7 depends must be explicitly identified by claim number. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, regarding claim 1, the limitation that "tubular screw contacts adapted to connect . . . conductors inserted into said contacts" is confusing and unclear in light of the specification. What are "screw contacts" into which conductors may be inserted? The limitation of "screw contacts" is given little weight.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 1,206,024A1 ("De Buyst").

Regarding claims 1, 2, 4, and 5, De Buyst discloses a connector for connecting two medium-voltage electrical power cables each including at least one conductor surrounded by an insulative jacket, which connector includes tubular contacts adapted connect together stripped ends said conductors inserted into said contacts and retained by means of screws (43, 44) and, at one end at least, extension means (see attachment) attached to said connector and adapted to cover (i.e. capable of covering) a portion of said insulative jacket of said cable. Regarding the particular dimensions and whether the extension is greater than 10 mm, claimed variations in relative dimensions, which do not specify a device which performs or operates any differently from the prior art, do not patentably distinguish applicant's invention. Gardner v. TEC Systems, Inc., 725 F.2d 1338 (Ct. App. Fed. Cir. 1984). At the time of the invention, it would have been obvious to vary the particular dimensions of De Buyst device as desired to suit cables of various sizes, etc.

Regarding claim 6, De Buyst discloses extension means 30 which comprises a flexible semiconductor rubber skirt fixed the periphery of said connector.

Per claim 7, De Buyst discloses a connection between two medium-voltage electrical power cables each including at least one conductor surrounded by insulative jacket, and an insulative sheath adapted to cover intimately at least said connector.

Per claim 8, De Buyst discloses the space between said connector and said insulative jacket of the corresponding cable filled with layer of insulative mastic 51.

Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over De Buyst as in claim 1 in view of Auclair. De Buyst may not state that the edges of the connector are rounded. Auclair discloses the well known proposition that sharp edges may be rounded to prevent injury or damage to the cable (Auclair col. 2, line 64). At the time of the invention, it would have been obvious to round any sharp edges of the De Buyst device. The suggestion or motivation for doing so would have been to prevent injury to one handling the device or damage to the cable, as taught in Auclair and as is well known in the art.

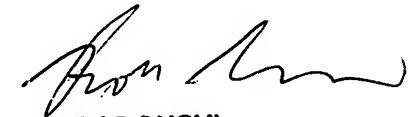
Allowable Subject Matter

Claims 9 and 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art does not suggest the connector as claimed, including the combination of all the claimed elements, the combination including that the space between said layer of insulative mastic and each screw is filled with conductive mastic or filled by a semiconductor material cap.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (571) 272-2005. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at 571-272-2800 extension 33. The phone number for the Group's facsimile is (703) 872-9306.



ROSS GUSHI
Primary Examiner